

Magistrate Judge Michelle L. Peterson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KELLY THOMAS JACKSON,

Defendant.

NO. MJ20-571

MOTION FOR DETENTION

The United States moves for pretrial detention of the Defendant, pursuant to
18 U.S.C. 3142(e) and (f)

1. **Eligibility of Case.** This case is eligible for a detention order because this
case involves (check all that apply):

- ☒ Crime of violence (18 U.S.C. 3156).
- ☐ Crime of Terrorism (18 U.S.C. 2332b (g)(5)(B)) with a maximum sentence
of ten years or more.
- ☐ Crime with a maximum sentence of life imprisonment or death.
- ☐ Drug offense with a maximum sentence of ten years or more.

- ☐ Felony offense and defendant has two prior convictions in the four categories above, or two State convictions that would otherwise fall within these four categories if federal jurisdiction had existed.
- ☐ Felony offense involving a minor victim other than a crime of violence.
- ☒ Felony offense, other than a crime of violence, involving possession or use of a firearm, destructive device (as those terms are defined in 18 U.S.C. 921), or any other dangerous weapon.
- ☐ Felony offense other than a crime of violence that involves a failure to register as a Sex Offender (18 U.S.C. 2250).
- ☒ Serious risk the defendant will flee.
- ☐ Serious risk of obstruction of justice, including intimidation of a prospective witness or juror.

2. **Reason for Detention.** The Court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

- ☒ Defendant's appearance as required.
- ☒ Safety of any other person and the community.

3. **Rebuttable Presumption.** The United States will invoke the rebuttable presumption against defendant under 3142(e). The presumption applies because:

- ☒ Probable cause to believe defendant committed an offense listed in 18 U.S.C. § 2332b(g)(5)(B).

Legal authority: The Bail Reform Act, at Title 18, United States Code, Section 3142(e)(3)(C), provides a rebuttable presumption for detention in cases like the instant one, where a defendant is charged with an offense listed in 18 U.S.C. § 2332b(g)(5)(B). Arson, in violation of Title 18, United States Code, Section 844(i), is such an offense.

1 4. **Time for Detention Hearing.** The United States requests the Court
2 conduct the detention hearing:

- 3 ☒ At the initial appearance
4 ☐ After a continuance of ____days (not more than 3)
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6 DATED this 9th day of September, 2020.
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8 Respectfully submitted,

9 BRIAN T. MORAN
10 United States Attorney
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12 /s/ Todd Greenberg
13 TODD GREENBERG
14 Assistant United States Attorney
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